

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EDWARD BROWN,

Plaintiff,

-against-

ORDER
17-CV-2561 (JS) (ARL)

SPRINT CORPORATE SECURITY
SUBPOENA SPECIALIST and WENDY KLANG,

Defendants.

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APPEARANCES

For Plaintiff: Edward Brown, pro se
14-A-4702
Green Haven Correctional Facility
P.O. Box 4000
Stormville, New York 12582

For Defendants: No appearances.

SEYBERT, District Judge:

On April 11, 2017, incarcerated pro se plaintiff Edward Brown ("Plaintiff") filed a Complaint in the United States District Court for the Southern District of New York together with a motion for leave to proceed in forma pauperis. By Transfer Order dated April 20, 2017, the Complaint was transferred to this Court and, on April 28, 2017, was assigned to the undersigned. However, Plaintiff did not file the required Prisoner Litigation Authorization Form ("PLRA") at the time that he filed the Motion. Accordingly, by Notice of Deficiency dated May 25, 2017 ("Notice"), Plaintiff was instructed to complete and return the enclosed PLRA within fourteen (14) days from the date of the Notice in order for his case to proceed. Plaintiff was cautioned that his failure to timely file the PLRA will lead to the dismissal of his Complaint

without prejudice and this case will be marked closed.

On June 2, 2017, the Notice was returned to the Court as undeliverable and was marked "Return to Sender", "Unable to Forward", "RTS - released." (See Docket Entry 8.) On June 20, 2017, the Court updated Plaintiff's Prisoner Identification Number and Facility and re-mailed the Notice to Plaintiff at the updated address. (See Docket Entry 9.) On July 5, 2017, Plaintiff filed another application to proceed in forma pauperis but did not include the PLRA. Accordingly, Plaintiff is afforded a final opportunity to file the PLRA. **Plaintiff is ORDERED to complete and return the enclosed PLRA within fourteen (14) days in order for his case to proceed.** Plaintiff is cautioned that failure to timely file the PLRA will lead to the dismissal of his claims without prejudice and this case will be closed.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of the Court is directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: August 7, 2017
Central Islip, New York